

**FORMS TO BE COMPLETED BY PRISONERS FILING A CIVIL RIGHTS
COMPLAINT UNDER 42 U.S.C. § 1983 or 28 U.S.C. § 1331**

1: CV 01-0110
COVER SHEET

THIS COVER SHEET CONTAINS IMPORTANT INFORMATION ABOUT FILING A COMPLAINT AND YOUR OBLIGATIONS IF YOU DO FILE A COMPLAINT. READ AND COMPLETE THE COVER SHEET BEFORE YOU PROCEED FURTHER.

JAN 18 2001

MARY E. D'AMICO, CLERK
PER CM DEPUTY

The cost for filing a civil rights complaint is \$150.00.

If you do not have sufficient funds to pay the full filing fee of \$150.00 you need permission to proceed *in forma pauperis*. However, the court will assess and, when funds exist, immediately collect an initial partial filing fee of 20 percent of the greater of:

- 1) the average monthly deposits to your prison account for the past six months; or
- 2) the average monthly balance in your prison account for the past six months.

Thereafter, the institution in which you are incarcerated will be required to make monthly payments of 20% of the preceding month's deposits credited to your account until the entire filing fee is paid.

CAUTION: YOUR OBLIGATION TO PAY THE FULL FILING FEE WILL CONTINUE REGARDLESS OF THE OUTCOME OF YOUR CASE, EVEN IF YOUR COMPLAINT IS DISMISSED BEFORE THE DEFENDANTS ARE SERVED.

1. You shall file a complaint by completing and signing the attached complaint form and mailing it to the Clerk of Court along with the full filing fee of \$150.00. (In the event attachments are needed to complete the allegations in the complaint, no more than three (3) pages of attachments will be allowed.) If you submit the full filing fee along with the complaint, you DO NOT have to complete the rest of the forms in this packet. Check here if you are submitting the filing fee with the complaint form. _____

2. If you cannot afford to pay the fee, you may file a complaint under 28 U.S.C. § 1915 without paying the full filing fee at this time by completing the following: (1) Complaint Form; (2) Application To Proceed In Forma Pauperis; and (3) Authorization Form. You must properly complete, sign and submit all three standard forms or your complaint may be returned to you by the Clerk of Court. Check here if you are filing your complaint under 28 U.S.C. § 1915 without full prepayment of fees.

Please Note: If your case is allowed to proceed and you are awarded compensatory damages against a correctional facility or an official or agent of a correctional facility, the damage award will first be used to satisfy any outstanding restitution orders pending. Before payment of any compensatory damages, reasonable attempts will be made to notify the victims of the crime for which you were convicted concerning payment of such damages. The restitution orders must be fully paid before any part of the award goes to you.

DO NOT DETACH THE COVER SHEET FROM THE REST OF THE FORMS

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(Inmate Number)

55438

(Name of Plaintiff)

Desmond V. Gayle

(Address of Plaintiff)

York County Prison
3400 Concord Road
York, P.A. 17402

vs.

United States Post office((PERSON)) Postal Service, ManagerLANCASTER, P.A. 176

(Names of Defendants)

(CODE)**1 : CV 01-0110**

(Case Number)

COMPLAINT

TO BE FILED UNDER: 42 U.S.C. § 1983 - STATE OFFICIALS☒ 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. Previous Lawsuits

- A. If you have filed any other lawsuits in federal court while a prisoner please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

Judge William Caldwell For both Civil Action # 1:00CV-008= I have filed a Lawsuit for Wrongful deduction
Money, From my Account in March 2000.Lawsuit Against York County Prison, MARCH 2000
FOR DAMAGING my Health. Civil Act # 1:01CV-00-08

II. Exhaustion of Administrative Remedies

- A. Is there a grievance procedure available at your institution?

☒ Yes ___ No

- B. Have you filed a grievance concerning the facts relating to this complaint?

___ Yes ☒ NoIf your answer is no, explain why not The United States Postal Servicedoesn't have a GRIEVANCE procedure, issued a
YORK COUNTY PRISON, that I knew of at this

- C. Is the grievance process completed?
- ___ Yes
- ___ No

III. Defendants

(In Item A below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use Item B for the names, positions and places of employment of any additional defendants.)

A. Defendant The official incharge is employed
as MANAGER at United States Postal
~~B. Additional defendants~~ Service, (DIVISION) of
LANCASTER, P.A. 176
(Code)

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach extra sheets if necessary.)

1.

For the past two to four Months,
The Defendant have been sending
back my Mails, that I sent to the Court

2.

Each time I sent my Mails out, to the
United States District Court, in Harrisburg
Under My Correct Name (Desmond V. Gayle)

3.

The Defendant Continuously send it back
to YORK County Prison, After putting their
seal on it, with the date (The Last Return MA
From the Defendant) I sent it to the U.S. Distr
Court, P.O. Box 1148, SCRANTON P.A. 18501-1148, AND
ASKED the clerk to send me back the ORIGINAL
letter, along with A 2 Civil Rights Complaint FOR

V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1.

I Would like the Court to Intervine into this matter, and Investigate the facts, and factual abused of my

2.

Communication to the Court.
I would also like the Court to order the Defendant to Compensat

3.

me, with the sum of three Million Dollars \$3,000,000. (three millions Dollars).
Thank you your Respectfull

Signed this 15th day of JANUARY, 2001

L. V. Gayle
(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct.

15th JANUARY 2001
(Date)

L. V. Gayle
(Signature of Plaintiff)